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OFFICE OF PETITIONS

In re Application of :
George JACKOWSKI, *et al.* :
Application No. 09/991,799 :
Filed: November 23, 2001 :
Attorney Docket No. 2132.086 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on June 27, 2005 to revive the above-identified application.


The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed on November 25, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned, by operation of law, on February 26, 2004. A Notice of Abandonment was mailed on June 16, 2004.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, a Request for Continued Examination (RCE) under 37 CFR 1.114, and the \$395 filing fee; (2) the petition fee of \$750; and (3) an adequate statement of unintentional delay. Accordingly, the reply to the final Office action of November 25, 2003 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Anatoly Vortman at (571) 272-6051, or in his absence to the undersigned at (571) 272-7099.

The application file is being referred to Technology Center AU 1646 for appropriate action on the RCE and concurrently filed amendment.


David Bucci
Petitions Examiner
Office of Petitions